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Zoning Ordinances
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Planned Development

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CHAPTER 8. PLANNED DEVELOPMENT ZONE (PD)

8-1 Purpose:

The planned development zone is intended to be used in newly developed areas to ensure compatibility of planned development type projects with existing development. Further, planned developments are intended to be used as a vehicle for developing centers of blocks in older areas of the City where these areas have become difficult to develop by conventional subdivision methods and as an alternative to single-family lot subdivisions. Planned developments are not intended to be used in single-family residential zones to allow multiple-family dwelling on vacant lots with street frontage and located between two (2) other single-family dwellings. Parcels of vacant property located in the centers of blocks shall be combined together, using common access driveways to qualify as a planned development project.

8-2 Permitted Uses:

The following uses are permitted:

Highway commercial businesses of a retail trade nature, including office and professional use.

"Home Occupation", as defined in section 1-6 (61) of this code and prescribed in the City home occupation ordinance set forth in section 4-26 of this code.

Household pets.

Light manufacturing business.

Manufacturing or recreational vehicle developments.

Multiple-family residential uses.

Single-family residential uses.

Townhouse and condominiums (20,000 square foot lot and 4 units minimum).

Any combination of the above uses, or other uses that may be determined by the Planning Commission to be compatible and in harmony with each other according to the designated and approved development plan.

8-3 GENERAL REQUIREMENTS:

A. Request Form: The standard zone change application form of the City shall be used to submit a request for a planned development zone change.

B. Pre-filing; Review: Prior to the review of the development plan and text by the Planning Commission, the applicant shall pre-file the proposed request with the planning staff for review. The planning staff shall contact interested department personnel of the City or other agencies for review purposes. After review by the staff, which review time shall not exceed thirty (30) days, the staff shall furnish to the applicant any comments regarding the zone change request that may help the applicant in preparing the request for submission. The staff shall hold such meetings with the applicant as may be necessary for proper review.

C. Documents Required: All requests shall be accompanied by a colored site development plan and a written text for the entire property proposed to be developed. For residential projects approved by the City Council, the applicant shall proceed to

prepare and submit a preliminary plat, followed by a final plat as set forth in Chapters 3 and 4 of the City of Kanab Subdivision Ordinance.

D. Subdivision Ordinance Applicability: The plans and information submitted to the city planning staff shall include applicable requirements of "Preliminary Plat", of this code. The design standards shall also be followed, where applicable, in submitting the application.

8-4: CONTENTS OF WRITTEN TEXT:

The written text shall include the following:

A. Use of Land: The projected use of land, including percentages of land devoted to various types of land use, such as building coverage, parking area, landscaped area, etc.

B. Height And Elevations: The text shall indicate the type, character and proposed height of all buildings. The plot plan, elevations and perspective drawings may be prepared as necessary by the applicant to help the Planning Commission and City Council to better understand the proposal.

C. Density: The density in terms of dwelling units per gross acre of land shall be indicated.

D. Schools, Churches And Open Spaces: The location of any proposed school sites, churches, parks or other common or open spaces shall be identified.

E. Phasing Plan: A phasing plan, if the development is proposed to be developed in phases, shall be submitted.

F. Topography: Topography at contour intervals of two feet (2') shall be submitted unless waived by the planning staff.

G. Landscape Plan: A landscape plan showing the general location of lawn area and trees shall be submitted (this may be a part of the site or plot plan).

H. Area Reserved For Landscaping: The amount of land area reserved for landscaping shall be indicated.

I. Utilities: All utilities shall be underground unless otherwise approved by the City Council and upon recommendation of the water and power director. Transformer equipment shall be screened from streets and from adjacent properties.

J. Refuse Storage Areas: Refuse storage areas shall be screened so that materials stored within these areas shall not be visible from an access street.

8-5 RESIDENTIAL DEVELOPMENT STANDARDS:

A. Land Coverage: The land coverage by all buildings shall not exceed fifty percent (50%) of the net lot or parcel acreage. Net lot or parcel acreage shall exclude the acreage of a reas that exceed 40% slope.

B. Lot Size: the minimum lot size in single-family residential subdivisions with private individual lots(no common area within lots) and private streets is five thousand (5,000) square feet; provided, that at least twenty percent (20%) of the total project area is developed and maintained as common open landscape or recreation area and that the average lot size is a minimum of 7,000 square feet with different lot sizes being placed intermittently through out the project.

C. Density: The density of a planned residential development shall conform to the density limitations of the general plan, but in no case shall exceed fifteen (15) dwelling units/acre.

D. Setbacks:

1. Front yard:

a. Front yard setback from a public street shall be a minimum of twenty five feet (25").

Exceptions: Exceptions to a twenty five foot (25') front yard setback from a public street are as follows:

i. Adjacent to residential property where one or both sides have less than a twenty five foot (25') setback, in front yard setback may be the

average of the adjacent residential property or twenty feet (20'), whichever is greater. If one or both sides are undeveloped, the front yard setback for said undeveloped residential property shall be deemed to be twenty five feet (25') for purposes of this exception.

ii. Subject to the recommendation of the Planning Commission and approval of the City Council as part of the planned development approval, a twenty foot (20') setback for the dwelling unit (garage setback shall remain at 25 feet) and an increase to the rear yard setback of five feet (5').

b. Front yard setback from private streets shall be twenty feet (20') minimum from back of sidewalk (curb where no sidewalk) for garages or carports.

c. A garage design to allow a side entrance with an appropriate off street parking area may be located less than the twenty feet (20') minimum setback requirement where the Planning Commission determines such off street parking (the driveway) meets the intent of the ordinance. In no case shall the garage have a setback reduction less than ten feet (10') in order to comply with the building setback of ten feet (10') from the back of sidewalk (curb where no sidewalk). The driveway shall have an appropriate radius, width and length to provide off street parking outside of the garage. Garage doors fronting the street shall have a twenty foot (20') minimum setback from the sidewalk (curb where no sidewalk).

d. The front yard setback area shall not be used for the location of any building or parking of any motor vehicles required as part of the parking requirement or for additional visitor parking.

2. Side and Rear yard Setback/Building Separation:

a. Side yard setback or building separation of detached units:

1 - 1 ½ Stories 2 - 2 ½ Stories 3 Stories

Where no fence or wall exists between units

10 feet 15 feet 20 feet

2. Side and Rear yard Setback/building Separation:

a. Side yard setback or building separation of r detached units:

1 - 1 ½ 2 - 2 ½ 3
Stories Stories Stories

Where no fence or wall exists between units

10 feet 15 feet 20 feet

Where a property line, wall or similar boundary line separates units

8 feet to 9 feet to 10 feet to

(any ownership designation other than "common area")

16 feet 18 feet 20 feet
between units between units between units

b. Rear yard Setbacks: Rear yard setback or building separation requirements:

1 - 1 ½ 2 - 2 ½ 3
Stories Stories Stories

From property line 10 feet 20 feet 20 feet
 Minimum building
 separation for 2
 adjoining rear lot properties

 20 feet 40 feet 40 feet

c. Exceptions: to side and rear yard setback requirements are as follows:

- i-Adjacent to a public street, twenty five feet (25') or twenty feet (20') with a six foot (6') privacy wall along street right of way.
- ii- Adjacent to a single-family zone, the setback for two - to three - story units shall be a minimum of thirty feet (30').

E. Parking Requirements: The requirements of chapter 6 of this code shall apply.

F. Signs and Advertising: The requirements of the sign ordinance set forth in chapter 6A this code shall apply except that in large residential planned developments (those containing more than 200 dwelling units), the planning commission may approve an overall sign scheme for the project which may exceed the restrictions contained in the sign ordinance.

G. Height Regulations: No building shall be erected to a height greater than thirty five feet (35') unless specifically approved as a part of the zone change approval.

H. Size Requirements: Each planned development zone shall contain a minimum of twenty thousand (20,000)square feet and four (4) dwelling units.

I. Landscape Requirement: All planned residential developments shall have a minimum of thirty percent (30%) of the site area, including front setback area, developed and maintained as landscaped for open green space.

J. Time Limitation: Building permits for construction within planned development residential zones must be obtained within eighteen (18) months of the approval of a zone change to planned development. If eighteen (18) months elapse without the issuance of building permits for the construction of the approved plans within the planned development zone, the zone shall revert back to the previous zone of the property before the zone change to planned development was approved.

K. Recreation Or Playground Areas: In developments with five (5) or more units, there shall be provided usable recreation or playground areas outside of the front yard setback, with a total minimum area of one thousand (1,000) square feet for five (5) units and an additional two hundred (200) square feet for each unit over five (5) units. The average width and length of each useable recreation or playground area shall not be less than twenty feet (20') or as approved by the Panning Commission. At least fifty percent (50%) of the usable area shall be in the form of open playground or green space.

L. Lightning Plan: The plans submitted shall include a general lighting plan indicating location of lights to be installed.

M. Turning Space: Safe and convenient turning space shall be provided for cars, sewer vehicles, refuse collection vehicles, fire fighting equipment, etc., at the end of private drives and dead end streets.

8-6 COMMERCIAL/MANUFACTURING DEVELOPMENT STANDARDS

A. Land Coverage: The land coverage by all buildings shall not exceed fifty percent (50%) of the net lot or parcel acreage.

B. Setbacks:

1. Front Yard:

- a. the front yard setback shall be twenty five feet (25') for commercial developments and twenty feet (20') for manufacturing developments, unless the project is adjacent to an existing residential zone requiring greater than the twenty five foot (25') or twenty foot (20') setback in which

case the setback shall be the same as for the adjacent residential use.

b. For commercial developments, the front yard shall not be used for the location of any building or parking area for motor vehicles, except as provided for in subsection G1 of this section.

c. Parking is allowed in the front yard setback of manufacturing developments.

2. Side Yard: The requirement for the street side shall be the same as for the front yard. Interior side yard setbacks shall be a minimum of ten feet (10') with the following exceptions;

a. No setback shall be required between a planned development zone and an adjacent commercial or industrial zone, unless setbacks are specifically required by the Planning Commission.

b. No setback is required between adjacent PD commercial/manufacturing building located in the planned development zone.

c. The interior side yard setbacks shall be increased to twenty feet (20') for buildings with two (2) or more stories adjacent to a residential zone.

3. Rear Yard: Ten feet (10') for commercial developments and zero feet for manufacturing developments, unless a different setback is required by the Planning Commission. (Street side setback is the same as for front yard.)

C. Parking Requirements: the requirements of chapter 6 of this title shall apply.

D. Signs and Advertising: the requirements of the sign ordinance set forth in chapter 6A of this code shall apply. Off premises signs shall not be allowed in a PD commercial/manufacturing zone unless such sign is part of the approved development plan.

E. Height Regulations: No building shall be erected to a height greater than thirty five feet (35') unless specifically approved as part of the zone change approval.

F. Fences: The requirements of Chapter 4-16 of this title shall apply.

G. Landscaping:

1. For commercial developments, the entire area between the curb and the setback line shall be landscaped. This may consist of any combination of plant materials along with necessary walks, ingress/egress drives and other appurtenances necessary for the development of the property. Where it otherwise creates a hardship, the City Council, upon recommendation of the Planning Commission, may allow adjustments in the landscaped setback area for driveway lanes and uncovered parking spaces; provided, that any reduction in one area shall be made up by additional landscaping in another area adjacent to the road right of way, so there is not overall reduction in required landscaped area. For manufacturing development, there shall be a five foot (5') wide landscaped area on the private lot adjacent to all public streets.

2. Landscape plans shall make provisions for erosion control on all graded sites which will remain vacant after construction is completed.

H. Outside Storage: There shall be no outside storage of materials used in sales or in business operation. All businesses shall be completely enclosed.

I. Maintenance; All structures, permitted signs, parking area, landscaping, etc., shall be maintained in a neat, clean and orderly manner. All refuse shall be collected from outdoor areas on a regular basis to prevent said materials from being blown onto adjacent property.

J. Permitted Uses Designated: The City Council, upon recommendation from

the Planning Commission, may designate any planned commercial zone as permitting certain of those uses allowed in the C-H zones, and only that specific type, or types of businesses are to be permitted in the zone.

K. Lighting Plan: The plans submitted shall include a general lighting plan indicating location of lights to be installed on the site.

L. Turning Space: Safe and convenient turning space shall be provided for cars, sewer vehicles, refuse collection vehicles, fire fighting equipment, etc., at the end of private drives and dead end streets.

8-7 OTHER REQUIREMENTS:

A. Public Hearing: Subsequent to review and approval by the Planning Commission, the proposed planned development zone change request shall be forwarded to the City Council for a public hearing.

B. Planning Commission Recommendation: The Planning Commission shall also forward any recommendations for approval, disapproval or modification of the planned development request as reviewed by them to the City Council to be considered as a part of the zone change hearing.

C. Advertising: the zone change request shall be advertised and heard according to the same requirements as any other zone change request submitted to the City Council.

D. Approval: The City Council may approve a planned development zone change request only after finding that the requirements of this title and any other ordinances or restrictions affecting the property have been satisfied.

E. Development Plan Compliance: All development within the planned development zone shall comply with the development plan as approved and adopted by the City Council.

F. Filing of Materials: The development plan and supplementary text materials, after adoption, shall be filed in the offices of the City and all development within the zone shall comply therewith, unless the development plan and supplementary materials are amended as prescribed herein.

G. Applicability Of Title: All other applicable provisions of this title shall apply, i.e., manufacturing home or RV requirements for mobile or RV planned development, etc.

8-8 AMENDMENTS AND MODIFICATIONS:

Any amendments to the development plan shall be accomplished in the same manner as any other amendment to this title. Revised text and/or plans shall be submitted, along with a zone change request, to the Planning Commission and shall be reviewed in the same manner as the initial zone change request. The plan as approved by the City Council constitutes the zone, and any significant change in the plan shall be processed as an amendment to the zone.

8-9 PLAN REVIEW CONFERENCE:

A. Required: Following the approval of the planned development zone change and upon request for issuance of any building permit therein, the developer and contractor, and the planning staff meet together to review the requirement of the zone change and to make sure that the developer and contractor are aware of the conditions under which the zone change was granted.

B. Official Plan: At the plan review conference, the plans will be stamped by the staff and signed by the staff, developer and contractor as the official set of construction plans from which the work will be performed.

C. Changes Or Modifications: Any changes or modifications to the approved plan of development during the period of construction shall first be resubmitted to the planning staff for approval, and if deemed significant and at the discretion of the staff, returned to the Planning Commission for their review and recommendations and to the City Council for a hearing to amend the zone as

provided for in section 1-15- to 1-16A of the City of Kanab uniform Zoning Ordinance.

8-10 Special Provisions

1. Gross Floor Limitation.

Retail establishments shall not exceed 40,000 square feet of gross floor area within the Zone. No retail establishment shall be permitted to place any one building or any combination of buildings that exceed 40,000 square feet within said Zone. In no event shall any retail establishment, corporation, business, entity have one or more buildings on adjoining parcels, wherein the building or buildings would exceed a total of 40,000 square feet. Attempts to circumvent or exceed this maximum, 40,000 square feet shall be strictly prohibited.

2. Definitions. The following definitions shall apply to this Section.

a. "Retail Establishments" means retail business or businesses, conducted in two or more buildings, where the retail business or businesses:

- i. are engaged in the selling of similar or related goods, wares or merchandise, and operate under Common Ownership or Management, or
- ii. share check stands, storage facilities, a warehouse, or a distribution facility, or
- iii. otherwise operate as associated, integrated or cooperative business enterprises under Common Ownership or Management.

b. "Combination of Buildings" means two or more buildings that are on adjoining parcels as measured from the outside exterior wall of two of the buildings.

c. "Common Ownership or Management" means owned, leased, possessed, managed or otherwise controlled in any manner directly or indirectly,

- i. by the same individual(s) or entity(ies) including but not limited to corporation(s), partnership(s) limited liability company(ies) or trust(s), or
- ii. by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with other individual(s) or entity(ies) with respect to the Retail Businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member officer or trustee of the entity(ies).

d. "Gross Floor Area" shall mean the sum of:

- i. the total horizontal area, in square feet, of all floors of a building as measured at outside the exterior walls and including all interior courtyards, and
- ii. the total horizontal area, in square feet, of all portions of the site outside of the exterior walls of buildings used for the display, storage, or sale of any goods, wares or merchandise.

For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.

e. "Retail Business" means a business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be place in

inventory for resale. A Retail Business does not include:

- i. health centers, governmental uses, community centers, theaters, or religious or fraternal uses, or
- ii. a business where retail sales are an incidental or accessory use to the primary use. This definition shall not include churches, public schools, hospitals, public civic centers, or public recreational facilities, or other facilities owned by or operated strictly for the benefit of the public.

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